

COMMITTEE ON HOUSE ADMINISTRATION

115TH CONGRESS

COMMITTEE RESOLUTION 115- []

February 27, 2018

Resolution to Approve Committee Views and Estimates

Resolved, pursuant to § 301(d) of the Congressional Budget Act of 1974 and House Rule X, clause 4(f), the Committee adopts the following views and estimates for Fiscal Year 2019:

COMMITTEE ON HOUSE ADMINISTRATION

VIEWS AND ESTIMATES FOR FISCAL YEAR 2019

Federal Election Commission

The Federal Election Commission (FEC) is an independent, bipartisan commission which facilitates transparency in the federal election process through public disclosure of campaign finance data, and encourages compliance with the Federal Election Campaign Act by providing information and policy guidance. The FEC administers and interprets the Federal Election Campaign Act, the Presidential Election Campaign Fund, and the Presidential Primary Matching Payment Account Act. The FEC also enforces these Acts through audits, investigations, and civil litigation.

The current Fiscal Year 2018 appropriated amount for the FEC continues to be \$79,119,000, the same as fiscal year 2017. This and any increased funding requires appropriate allocation. The Committee will continue to conduct vigorous oversight to identify and realize future potential savings.

Presidential Election Campaign Fund

One means to reduce the budget needs of the FEC is to eliminate the Presidential Election Campaign Fund (PECF). The PECF provides taxpayer financing for presidential campaigns. The PECF receives its funds through a voluntary election on tax returns to have \$3 of the taxpayer's taxes directed to the fund. For primary elections the PECF provides payments to candidates to match private contributions. Candidates who elect to participate are subject to state-by-state spending limits. For general elections the PECF provides a single grant payment to participating candidates, in return for which the candidate agrees not to spend funds from any other source.

The FEC incurs costs to administer the PECF and to audit recipients of PECF funds. These costs could be eliminated if the PECF were eliminated.

The fund is underutilized by candidates. After pledging to participate in the PECF, in 2008 then-Senator Obama declined public financing during the general election. In the 2012 campaign, only three candidates received PECF funds – Buddy Roemer (Americans Elect and the Reform Party), Gary Johnson (Libertarian) and Jill Stein (Green). The total they received was \$1,356,108. Both major party candidates rejected PECF financing in both the primary and general elections. No major party candidate utilized PECF financing in the 2016 campaign.

If candidates did chose to accept PECF funds and the accompanying restrictions, the fund would be undercapitalized because the American public chooses to no longer contribute. Public support for the PECF has declined precipitously since its introduction. The percentage of taxpayers participating dropped from 28.7% in 1980 to approximately 5.4% in 2015, even though participating does not affect tax liability.

In the 112th Congress, the House twice voted to eliminate the Presidential Election Campaign Fund by passing both H.R. 359 and H.R. 3463. In the 113th Congress, the Committee reported H.R. 95, which would eliminate the PECF and would reduce direct spending by approximately \$130 million by 2023. In the 114th Congress, the Committee has reported H.R. 412, which would transfer \$88,202,400 to the 10-Year Pediatric Research Initiative to fight childhood diseases and the remaining amount, roughly \$170 million, to the United States Treasury to pay down the national debt. In the 115th Congress, H.R. 133 has been introduced, which would transfer \$63,002,400 to the 10-Year Pediatric Research Initiative to fight childhood diseases and the remaining amount, roughly \$250 million, to the United States Treasury to pay down the national debt.

Given the scarce resources available and our duty to the American tax payer to set priorities for federal spending, eliminating a needless and underutilized fund while paying down our national debt and directing more money to pediatric illness research is an appropriate and crucial step toward fiscal responsibility.

The Committee does not support continued operation of the PECF and strongly supports the elimination of the PECF.

Election Assistance Commission

The Election Assistance Commission (EAC) is an independent, bipartisan commission which develops guidance to meet Help America Vote Act (HAVA) requirements, adopts voluntary voting system guidelines, and serves as a national clearinghouse of information on election administration. The EAC also establishes voluntary voting system guidelines, certifies voting systems, accredits test laboratories, and audits the use of funds provided the states through election reform grants.

The FY 2017 appropriated amount for the EAC totals \$9,600,000. Further reductions from the President's budget are warranted. No new funding for election reform grants has been provided to the EAC for the last eight years. Less than \$5 million in grant funding currently exists.

In the 112th Congress, a majority of the House twice voted to eliminate the EAC, with 235 Members voting in favor of both H.R. 672 and H.R. 3463. A majority of the Committee's members voted in favor of eliminating the EAC on three occasions. In the 113th Congress, the Committee reported H.R. 1994, which would eliminate the EAC. The CBO estimate for H.R. 1994 stated that eliminating the EAC would save taxpayers \$42 million over five years. In the 114th Congress, the Committee reported H.R. 195, which would eliminate the EAC. The CBO estimate for H.R. 195 stated that eliminating the EAC would save taxpayers \$40 million over five years. In that report, the Committee stated that the EAC's "operations and budget show that its mission cannot justify maintaining a federal agency." In the 115th Congress, H.R. 634, which would eliminate the EAC, was introduced and reported out of the Committee on House Administration on February 7, 2017.

The Committee does not support continued funding for EAC activities and strongly supports its elimination.

Cybersecurity

The Committee supports appropriate funding for policies that improve the cybersecurity platform within each of the Legislative branch entities and agencies. The Committee supports the Legislative Branch Cybersecurity Working Group for its effort on sharing and implementing cybersecurity best practices. The Committee supports the Working Group's next phase – including identifying and meeting minimum standards to ensure the Legislative Branch is adequately protected and providing resources to allow all Legislative Branch agencies and entities to mature their cybersecurity programs.

The Committee also supports appropriate funding for the House of Representatives' cybersecurity platform including but not limited to the assistance and support of the Executive Branch. Included in the 2017 National Defense Authorization Act was language authorizing the Speaker of the House of Representatives in consultation with the Minority Leader to request the assistance of the Executive Branch in the event additional resources were needed to respond to a cyber breach. The Committee supports efforts to develop and approve Memoranda of Understanding between the House and the appropriate Executive Branch agencies and the resources necessary to provide adequate assistance.

Sexual Harassment

Every case of sexual harassment is one too many. At the end of the first session of the 115th Congress, the Committee passed *H.Res. 630*, a resolution directing the House of Representatives to develop and implement a mandatory training and education program focused on anti-harassment and anti-discrimination. The Committee requested the assistance of the Chief Administrative Officer (CAO) to implement the mandatory training and education program and supports their current efforts to procure an outside vendor. The Committee anticipates the CAO will incur an annual cost of \$3.75 million beginning in Fiscal Year 2018 to carry out this mandatory training program.

Separately, the House passed *H.Res. 724*, which among other things directed the CAO to establish an Office of Employee Advocacy under its supervision. The Committee believes there is a lack of parity between the representation provided to employing offices (i.e. Members and

senior staff) and lower level employees. The establishment of an Office of Employee Advocacy will assist employees in understanding their rights and responsibilities under the Congressional Accountability Act and the House Committee on Ethics. The Committee anticipates the Chief Administrative Officer will need \$600,000 to establish the Office.

District Office Security Program

The Committee supports funding for the United States Capitol Police and the House Sergeant-at-Arms' to provide comprehensive security services to Members of Congress, including in their district offices. As the events of June 2017 and the corresponding increase in threats against Members of Congress demonstrate, the security of Members, their staff, their constituents, and the public at-large remains paramount. In FY 2018, the Committee on Appropriations, Legislative Branch recommended an additional \$7 million to the USCP and an additional \$5 million to the House SAA. The Committee continues to support any additional funding for these programs.